

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	CASE NO. 5:17 CR 429
)	
Plaintiff,)	JUDGE DAN AARON POLSTER
)	
vs.)	<u>OPINION AND ORDER</u>
)	
LAWRENCE MICHAEL LYNDE,)	
)	
Defendant.)	

This case is before the Court on Defendant Lawrence Michael Lynde's Motion for Reconsideration via handwritten letter dated July 30, 2020. **Doc #: 72.** For the following reason, the Motion is denied.

I.

On May 20, 2020, Lynde filed a Motion for Compassionate Release. Doc #: 66. On May 27, 2020, Lynde filed a Motion for Leave to File a Supplement to the Motion under Seal, which the Court granted. Doc #: 66, 68. He then filed the Supplement and a letter he emailed to Assistant Federal Defender Vanessa Malone. Doc #: 69, 70. On June 30, 2020, the Court, having reviewed all of Lynde's filings, the Government's Response, Doc #: 67, and the entire record, denied Lynde's Motion in a thorough six-page Opinion and Order. Doc #: 71.

On July 30, 2020, Lynde filed the pending Motion for Reconsideration. **Doc #: 72.** Lynde asks the Court to reconsider its ruling denying him compassionate release based on the Court's finding that he remains a danger to the community. *Id.* at 1.

The Court is impressed with the various therapies Lynde has undertaken to address his addiction to pornography, and the fact that he is attempting to mentor other sex offenders at FCI

Elkton, where he resides. The Court is also cognizant of Lynde's family circumstances and his otherwise exemplary life. The Court already took those circumstances into consideration when reducing his sentence from the applicable Sentencing Guidelines range of 151-188 months to 97 months. As the Court noted at sentencing, Lynde is *not* the first child pornographer the Court has sentenced who, other than an addiction to child pornography, has led an exemplary life. Doc #: 57 at 29-30. Sadly, there are many.

Whether a defendant is a danger to the community is only one factor the Court must consider when analyzing a compassionate-release motion. The Court must also consider the seriousness of the offense to promote respect for the law, and provide just punishment for that offense. 18 U.S.C. § 3553(a)(2)(A). There are *numerous* identified and unidentified toddlers and pre-pubescent minors who were sexually abused in creating the photos and videos Lynde distributed to strangers around the world. Those victims cannot speak for themselves, but the Court believes they would find that serving only 22 months of a 97-month sentence the Court has *already* reduced would not constitute just punishment for Lynde's crimes. Nor would it provide respect for the law so that other like-minded individuals are deterred from engaging in this conduct in the future.

II.

Accordingly, having reconsidered its earlier ruling, the Court declines to change it. The Motion for Reconsideration is hereby **DENIED**. Doc #: 72.

IT IS SO ORDERED.

/s/ Dan A. Polster August 6, 2020

Dan Aaron Polster
United States District Judge